



U.S. Department
of Transportation

**Pipeline and
Hazardous Materials Safety
Administration**

MAR 28 2007

409 3rd Street, SW, Suite 300
Washington, DC 20024

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**NOTICE OF PROBABLE VIOLATION
and
PROPOSED CIVIL PENALTY**

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

March 27, 2007

Mr. Reed Robinson
Vice President, Engineering Services
Columbia Gas Transmission Co.
PO Box 1273
1700 MacCorkle Ave., SE
Charleston, WV 25325-1273

CPF 1-2007-3004

Dear Mr. Robinson:

Between May and August, 2005, State Inspectors from the West Virginia Public Service Commission (WV PSC) acting as Agents for the Pipeline and Hazardous Materials Safety Administration (PHMSA) pursuant to Chapter 601 of 49 United States Code inspected your West Virginia facilities.

As a result of the inspection, it appears that you have committed probable violations of the Pipeline Safety Regulations, Title 49, Code of Federal Regulations. The items inspected and the probable violations are:

1. §192.709 (c) Transmission Lines: Record Keeping

Each operator shall maintain the following records for transmission lines for the periods specified:

(c) A record of each patrol, survey, inspection, and test required by subparts L and M of this part must be retained for at least 5 years or until the next patrol, survey, inspection, or test is completed, whichever is longer.

On line BM-74, Valve number 1266343 was installed on 12/23/02 and Valve number 1266346 was installed on 11/28/02. No record of inspection was found for either valve for calendar year 2004.

Columbia's post inspection response letter to the WV PSC dated 11/04/05 acknowledges that they were unable to find or locate any record of inspections for 2004.

2. 192.605(a) Procedural manual for O & M.

(a) General. Each operator shall prepare and follow for each pipeline, a manual of written procedures for conducting operations and maintenance activities and for emergency response.

Columbia's O&M procedure 220.03.01, titled "Facility Patrol and Leakage Inspection" specifies the required time interval for leakage surveys with leak detection equipment. Under section 3.2.4 (of this procedure), leakage surveys are specified to be conducted twice each calendar year not to exceed 7-1/2 months.

For Line PL-BKY, Equipment No. 690287, Columbia's records noted that the inspection interval was exceeded at Rt. 52 for the period of 12/30/02 to 08/29/03.

This inspection interval exceeded the 7-1/2 month requirement by 44 days.

Evidence is from Columbia's maximo data base showing the inspection record.

3. §192.739 Pressure limiting and regulating stations: Inspection and testing.

(a) Each pressure limiting station, relief device (except rupture discs), and pressure regulating station and its equipment must be subjected at intervals not exceeding 15 months, but at least once each calendar year, to inspections and tests to determine that it is—

(1) In good mechanical condition;

(2) Adequate from the standpoint of capacity and reliability of operation for the service in which it is employed;

The operator failed to inspect a pressure limiting switch at the Kenova Compressor Station within the maximum 15 month interval as required by §192.739. The over-pressure protection sensing switch is Equipment no. 501439 on the number 8 high discharge pressure unit.

Columbia's records show inspections made on 2/14/02 and 5/29/03. This time period exceeds the maximum 15 month interval allowed by 14 days. Columbia's post inspection response letter to the WV PSC dated 11/04/05 acknowledges this.

4. §192.731 Compressor stations: Inspection and testing of relief valves

(a) Except for rupture discs, each pressure relieving device in a compressor station must be inspected and tested in accordance with §§192.739 and 192.743, and must be operated periodically to determine that it opens at the correct set pressure.

(b) Any defective or inadequate equipment found must be promptly repaired or replaced.

The operator failed to follow §192.731 by not promptly repairing or replacing any inadequate equipment found in accordance with §192.731(a).

The probable violation site was at the Ceredo Compressor station located in Wayne County, WV. A relief valve at this location was missing covers. Lack of covers can allow liquids or other materials to accumulate which could make the relief valve inoperable in time of need.

Evidence includes photos of the missing covers, and Columbia's post inspection response letter to the WV PSC dated 11/04/05 stating that temporary covers have been installed until a permanent solution can be resolved.

5. §192.163 Compressor stations: Design and construction.

(e) Electrical facilities. Electrical equipment and wiring installed in compressor stations must conform to the National Electrical Code, ANSI/NFPA 70, so far as that code is applicable.

Columbia failed to have required electrical (boundary) seals at Ceredo compressor station to prevent ignition. Columbia had wires associated with a flame detection system installed in 2004. During the 2005 inspection, it was noted that the (#2) seal had not been filled with electrical sealing material.

Columbia acknowledges this in their post inspection response letters to the WVPSC dated 9/30/05 and 4/05/06.

6. §192.163(d) Compressor Station: Design and Construction

(d) Fenced areas. Each fence around a compressor station must have at least two gates located so as to provide a convenient opportunity for escape to a place of safety, or have other facilities affording a similarly convenient exit from the area. Each gate located within 200 feet (61 meters) of any compressor plant building must open outward and, when occupied, must be openable from the inside without a key.

The operator failed to have proper exit gates as required by §192.163(d).

At Grant Compressor Station, the gate adjacent to the highway is installed such that it will only open inward. Grant Compressor Station was built in 1981. The code requires that each gate located within 200 feet of a compressor station building must open outward. In addition, two (2) other gates were observed as being locked closed.

Photos of the gates were taken by the WV PSC inspector. In Columbia's post inspection response letter to the WV PSC dated 11/04/05 they acknowledged the locked gates, and the gate that opened inward.

7. § 192.603(b) General provisions.

b) Each operator shall keep records necessary to administer the procedures established under §192.605.

The operator failed to produce records for the years 2002 and 2003 for inspection of a fuel gas relief valve at Grant Compressor Station, to show that they had inspected and verified capacity for relief valve (equipment number 1184324). The relief valve is on the first cut regulator located at the Grant Compressor Station.

Columbia's post inspection response letter to the WV PSC dated 11/04/05 states that no records were located.

8. §192.481 Atmospheric corrosion control: Monitoring

(c) If atmospheric corrosion is found during an inspection, the operator must provide protection against the corrosion as required by § 192.479

Columbia failed to clean and coat portions of pipeline RM-1108 after noting that the pipeline had atmospheric corrosion occurring. Pipeline RM-1108 experienced four (4) corrosion leaks between 1/02 and 12/03. No action was taken to prevent further atmospheric corrosion.

Pipeline RM-1108 had atmospheric corrosion which is documented by the photographs taken by the WV PSC inspector and Columbia's records. Columbia's maximo report dated 11/3/03, page 1 of 3, Equipment number 1163926 clearly indicates "yes" regarding the question of atmospheric corrosion observed and noted. No action was taken. Pipeline RM -1108 has had four corrosion leaks repaired between 01/02 and 12/03. Columbia's post inspection response letter to the WV PSC dated 11/04/05 stated that the line will be remediated in 2006.

9. §192.739 Pressure limiting and regulating stations: Inspection and testing.

(a) Each pressure limiting station, relief device (except rupture discs), and pressure regulating station and its equipment must be subjected at intervals not exceeding 15 months, but at least once each calendar year, to inspections and tests to determine that it is—

- (1) In good mechanical condition;**
- (2) Adequate from the standpoint of capacity and reliability of operation for the service in which it is employed;**

Columbia failed to provide any records to document the annual inspection and testing for the devices (monitor-regulator followed by a control unit) located at regulator station RS-6821 on Line 18044 in Rowlesburg, Preston County.

No records were found for any inspection at that regulator station between 2002 and 2005.

10. **§192.465 External corrosion control: Monitoring**

(d) Each operator shall take prompt remedial action to correct any deficiencies indicated by the monitoring.

During the review of Columbia's corrosion control records, two (2) locations were identified where the pipeline electrical potential was below cathodic protection criteria, and the remedial work to correct it exceeded one monitoring period. Those locations were:

Line 8241, test station 103+19

Line 8241, test station 74+20

No explanation was given by the operator for lack of prompt remedial action.

Proposed Civil Penalty

Under 49 United States Code, § 60122, you are subject to a civil penalty not to exceed \$100,000 for each violation for each day the violation persists up to a maximum of \$1,000,000 for any related series of violations. The Compliance Officer has reviewed the circumstances and supporting documentation involved in the above probable violation(s) and has recommended that you be preliminarily assessed a civil penalty of \$126,000 as follows:

<u>Item number</u>	<u>PENALTY</u>
#1	\$11,000
#4	\$18,000
#7	\$20,000
#8	\$25,000
#9	\$36,000
#10	\$16,000

Warning Items

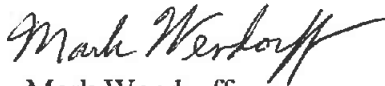
With respect to items 2, 3, 5, and 6 we have reviewed the circumstances and supporting documents involved in this case and have decided not to conduct additional enforcement action or penalty assessment proceedings at this time. We advise you to promptly correct these items. Be advised that failure to do so may result in Columbia Gas Transmission being subject to additional enforcement action.

Response to this Notice

Enclosed as part of this Notice is a document entitled *Response Options for Pipeline Operators in Compliance Proceedings*. Please refer to this document and note the response options. If you do not respond within 30 days of receipt of this Notice, this constitutes a waiver of your right to contest the allegations in this Notice and authorizes the Associate Administrator for Pipeline Safety to find facts as alleged in this Notice without further notice to you and to issue a Final Order.

In your correspondence on this matter, please refer to **CPF 1-2007-3004** and for each document you submit, please provide a copy in electronic format whenever possible.

Sincerely,



Mark Wendorff
Acting Director, Eastern Region
Pipeline and Hazardous Materials Safety Administration

Cc: WV PSC

Enclosure: *Response Options for Pipeline Operators in Compliance Proceedings*